

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 19456 of 2007(N)

PETITIONER:

**CHANDRAN, S/O.KRISHNAN,
PALLIKKATTIL HOUSE, VELAPPAYA VILLAGE,
TRISSRU DIST.**

BY ADV. SMT.S.MUMTAZ

RESPONDENTS:

- 1. THE JOINT REGISTRAR (GENERAL),
OFFICE OF THE ASST. REGISTRAR OF CO-OPERATIVE
SOCIETIES, THRISSUR.**
- 2. THE TRISSUR CORPORATION EMPLOYEES
CO-OPERATIVE SOCIETY, REPRESENTED BY THE SECRETARY
TRISSUR.**
- 3. SPECIAL SALE OFFICER,
A&E INSPECTOR NO.4,
OFFICE OF THE ASST. REGISTRAR OF CO-OPERATIVE
SOCIETIES, TRISSUR.**

**BY ADV. SRI.C.E.UNNIKRISHNAN --- R2
GOVERNMENT PLEADER SRI. P.K.RAVI KRISHNAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C) NO: 19456/2007 N

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE DEED OF GURANTEE NP NO. 869/05.

EXT.P2. COPY OF THE NOTICE BY THE R3 DT. 17/5/07.

EXT.P3. COPY OF THE REQUEST LETTER BY THE PETITIONER TO THE R2 DT. 31/5/2007.

RESPONDENT'S EXHIBITS NIL.

True copy

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K.M.JOSEPH, J.

WP.(C) No.19456 of 2007

Dated this the 1st day of August, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Recovery proceedings are challenged in this writ petition.

2. I heard learned counsel for the petitioner and the respondent Society. Petitioner prays that he may be permitted to pay off the amount in instalments. It is pointed out by counsel for the second respondent that the interim order has not been complied with.

3. But having regard to all facts, the writ petition is disposed of as follows:

Petitioner is permitted to repay the amount remaining to be paid with interest in five equal monthly instalment, first of which shall be paid on or before 30.8.2007 and the subsequent instalments on or before the last working day of the succeeding months. The respondent Society will serve a statement showing the amount of instalment to be paid on the basis that the petitioner has to pay the amount in five equal monthly instalments within two weeks from today. If any instalment is

defaulted, the petitioner will lose the benefit of this judgment and it will be open to the respondent Society to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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